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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/124,231	07/29/1998	NOBUHARU IINUMA	1046.1185/JD	6479

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EXAMINER

LANEAU, RONALD

ART UNIT PAPER NUMBER

2674

DATE MAILED: 03/19/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/124,231

Applicant(s)

IINUMA, NOBUHARU

Examiner

Ronald Laneau

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/26/03 has been entered.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanno (US 5,602,567) in view of Japanese patent (JP 10133635A).

As per claims 1, 2, 4, and 5, Kanno teaches a display apparatus comprising a monitor or a display screen 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus or irrespective of an operation mode of the main apparatus (see fig. 1). Kanno does not teach a screen protecting data in the memory but JP discloses a screen saver for computer including program memory area which is provided in internal or external memory of electronic computer to store display control program (see title).

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to utilize the screensaver program disclosed in the JP patent into the system of Kanno because it would allow a user to create his or her own custom database of units of information for display and also would facilitate use as a souvenir..

As per claim 3, Kanno teaches a main apparatus (CPU) 1 which sends a signal from a communication between the computer and the display monitor (see col. 4, lines 43-45).

As per claims 6 and 7, Kanno teaches a display apparatus comprising a monitor (display screen) 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus (see fig. 1). Kanno does not teach a screen protecting data in the memory but JP discloses a screensaver program that can be stored in the memory system of Kanno (see abstract). The combination of Kanno and JP patent would certainly trigger the screen saver automatically is displayed on the display screen if there is no activity from a user or no signal from the CPU to the display.

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to utilize the screensaver software disclosed in the JP patent into the system of Kanno for the same reasons given in claim 1.

As per claim 8, Kanno teaches a main apparatus (CPU) 1 which sends a signal from a communication between the computer and the display monitor (see col. 4, lines 43-45).

As per claim 9, see rejection of claims 6 and 7.

As per claim 10, see rejection of claims 1 and 4.

As per claim 11, see rejection of claim 5.

As per claims 12 and 13, see rejection of claim 2.

As per claim 14, see rejection of claim 4.

As per claims 15-19, the display control taught by Kanno is well capable of controlling the screen protecting image data to be displayed on the display screen based on the mode of the computer mainframe as claimed.

***Response to Arguments***

4. Applicant's arguments filed 2/26/03 have been fully considered but they are not persuasive.

Applicant mostly argues about Lundberg not disclosing an improved screen saver program and these arguments are moot in view of the newly added references. As far as Kanno teaching the use of a computer and associated memory to control and store screen saver programs, examiner respectfully disagrees with applicant's findings. Kanno actually teaches memory EEPROM and RAM (fig. 1, 11,12) that are independent of the main computer. These memories are found in the display monitor and they can actually store the screen saver there instead of using the main computer memory. AS far as no suggestion to combine the references, applicant can refer to previous arguments. Therefore, the rejection stands.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2674

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 305- 308-6606, (for informal or draft communications, please label

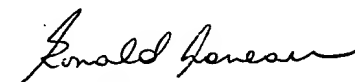
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,  
Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Monday-Friday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



Ronald Laneau  
Examiner  
2674

rl  
March 12, 2003